IAB INVESTIGATIVE SUMMARY

INTERNAL AFFAIRS BUREAU
INVESTIGATIVE SUMMARY
DEPUTY-INVOLVED HIT SHOOTING

CASE NUMBER:	**SH2347822**
URN:	**013-12614-0583-055**
LOCATION:	**[redacted] El Toro Road, Monrovia**
DATE/TIME/DAY:	**December 29, 2013 / 0120 Hours / Sunday**
SUSPECTS:	**Andre Goto, MH/24, DOB: 09/25/89, BKG# 3817061 "Eastside Duarte" Gang Member, moniker: Danger** **Frank Acosta, MH/36, DOB: 02/11/77, BKG# 3817063**
INVOLVED PERSONNEL:	**Deputy Oscar Calderon, #[redacted], Unit OSSG21** **Deputy Shawn O'Donnell, #[redacted] Unit OSSG21** **Deputy Michael Scott, #[redacted], Unit 58B3, PM's** **Deputy Cesar Huerta, #[redacted], Unit 58B3, PM's**

Internal Affairs Bureau Lieutenant Todd Weber, and Sergeants Dave Ladjevic and Louis Vigil, responded to the Command Post located at 733 Euclid Avenue, in the city of Duarte, where a deputy-involved, hit shooting had occurred. Sergeant Dave Ladjevic was assigned the responsibility for the administrative review of the incident.

On July 14, 2014, the case was re-assigned and Sergeant Peacock was tasked with completing the review.

Upon their arrival, they learned Deputies Calderon and O'Donnell were involved in a vehicle pursuit of an assault with a deadly weapon against a peace officer suspect, identified as Suspect Andre Goto. At the terminus of the pursuit, Suspect Goto pointed a firearm at Temple Station Deputies Scott and Huerta, who were involved in the Felony Traffic Stop. Fearing for their safety, Deputies Scott and Huerta fired several rounds at the suspect. Suspect Goto then drove his vehicle in reverse and rammed his vehicle into the front of Deputies Calderon and O'Donnell's vehicle, which was parked directly behind the suspect vehicle. Fearing for their safety, and the safety of Deputies Scott and Huerta, Deputies Calderon and O'Donnell also fired several rounds at the suspect, simultaneously.

Several assisting units arrived at the terminus of the pursuit and assisted with extracting Suspect Goto, and his passenger, Suspect Frank Acosta, from the vehicle and their detention.

Both Suspects sustained gunshot wounds and were transported via ambulance to a local hospital for their gunshot wounds where they were listed in stable condition. There were no deputy personnel injured.

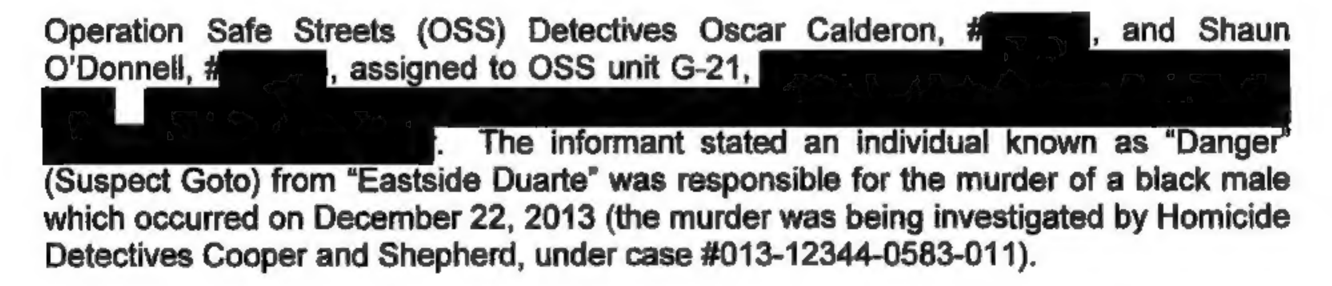
Homicide Detectives Troy Ewing and Dave Gunner responded and processed the crime scene. Attorney Arias of the Office of Independent Review was also notified and responded to the scene.

Lieutenant Todd Weber checked to see that Watch Commander, Lieutenant Phil Marquez, took reasonable steps to ensure the involved deputies and witness personnel did not discuss the incident among themselves or with uninvolved persons prior to being interviewed by the assigned investigators. He also ensured the involved deputies and witness personnel did not collectively consult with their attorney or representative(s).

In addition, Lieutenant Weber checked to see if the watch commander attempted to have the involved deputies and witness personnel gather in the company of a supervisor until they provided a statement to the assigned investigators.

SYNOPSIS:

On December 28, 2013, Temple Sheriff's Station deployed several additional patrol cars and resources in the area of Duarte and the unincorporated area of Monrovia regarding two recent gang murders and a recent gang shooting. The shootings appeared to be behind a gang feud between Eastside Duarte criminal street gang (Hispanic gang) and the Du Roc Crips criminal street gang (Black gang).



Operation Safe Streets (OSS) Detectives Oscar Calderon, #[redacted], and Shaun O'Donnell, #[redacted], assigned to OSS unit G-21, [redacted]. The informant stated an individual known as "Danger" (Suspect Goto) from "Eastside Duarte" was responsible for the murder of a black male which occurred on December 22, 2013 (the murder was being investigated by Homicide Detectives Cooper and Shepherd, under case #013-12344-0583-011).

The informant told Detectives Calderon and O'Donnell that Suspect Goto came over to his house after the murder and bragged about being the shooter. The informant told detectives Suspect Goto was going to come over to his house that evening.

Based on the above, Detectives Calderon and O'Donnell notified Homicide Detectives Cooper and Shepherd, and briefed them on the information they received. Homicide Detectives deployed the OSS Gang Surveillance Unit (GSU), consisting of Sergeant Joseph Valencia, and Detectives Woodruff, Davis, and Perez.

OSS GSU set up at the home of the informant, located at [redacted]. The informant was in constant cell phone communication with Detective Calderon. They observed a black Nissan Altima arrive at the location. Three individuals walked away from the vehicle and entered the informant's house. Several minutes later, two persons exited the house and entered the black Nissan Altima (Suspect's Goto and Acosta).

The black Nissan left the residence, drove south on Ivory Drive and approached Galen Street. OSS GSU Detective Davis notified his assisting units the target vehicle was leaving the location. Detectives Calderon and O'Donnell were designated as the "take down" vehicle and also approached Ivory Drive and Galen Street. As the black vehicle slowed to make a right turn onto Galen Street, Detective O'Donnell positioned his vehicle near the left front of the suspect's vehicle, in an attempt to make a felony stop. Detective O'Donnell activated all of the emergency lights and the spot lights on his vehicle.

Detective Calderon directed the passenger side spot light into the interior of the vehicle. The Detectives saw Suspect Goto point a gun in their direction. The Nissan sped off westbound Galen Street and a vehicle pursuit ensued. The pursuit traversed through the streets of the unincorporated area of Monrovia. The pursuit lasted approximately 1 ½ minutes and eventually went eastbound Van Meter Street.

The suspect vehicle attempted to make a northbound turn onto El Toro Road from Van Meter Street, but was unable to negotiate the turn, and struck the east curb of El Toro Road. Deputies Huerta and Scott were in a marked black and white radio car and assigned as Temple Station, Unit 53B3. Deputies Huerta and Scott monitored the pursuit and drove southbound on El Toro Road and observed the suspect vehicle crash into the curb. They stopped their vehicle north of the suspect's vehicle, and directed their spot lights toward the suspects.

Deputies Scott and Huerta observed Suspect Goto point a handgun at them. Fearing for their lives, Deputies Scott and Huerta fired their pistols at the driver (later identified as Suspect Goto). Detectives Calderon and O'Donnell also fired their pistols when they saw Suspect Goto point a firearm at Deputies Scott and Huerta. Suspect Goto revved the engine of the Nissan and drove in reverse at a high rate of speed, purposely ramming the front of Detective's Calderon and O'Donnell's gray unmarked detective unit with the rear of his car.

After the shooting, Suspect Goto and the right front passenger, Suspect Acosta, were ordered to exit the vehicle and were taken into custody without further incident. Deputies cleared the suspect vehicle and saw a "Mac-11" semi-auto pistol laying on the vehicle's center console. The weapon contained one live 9mm round in the chamber and an empty magazine well. An extended magazine for the weapon, containing eleven live 9mm rounds, was found on the front driver's floor board. See evidence list In **Exhibit A, pages 38-44**, and Item **#40** and **#57, page 144**.

IAB Note: **The "Mac-11" weapon recovered in the suspect's vehicle was a "Master Piece Arms" model 930T, 9mmn Luger caliber semi-automatic pistol with serial #F9487. Per California Penal Code 30515 (a), this weapon was determined to be an "Assault Weapon".**

Suspect Goto sustained two gunshot wounds to his arms. He was transported, via ambulance, to Huntington Memorial Hospital and was treated for his injuries. Suspect Acosta also suffered from gunshot wounds and was transported, via ambulance to Huntington Memorial Hospital, and treated for his injuries.

47 expended 9mm shell casings were recovered at the scene. See the evidence list in **Exhibit A, pages 137-140**. See crime scene sketches located in **Exhibit A, pages 149-150**.

The incident was investigated by the Los Angeles County Sheriff's Department Homicide Bureau. The results of their investigation were documented in a Homicide Bureau case book, **Exhibit A.** All involved personnel interviews and witness interviews done by Homicide Detectives were recorded and placed on compact discs (CD's). The CD's were included in this case book and were referred to as **Exhibit C**. Crime scene photographs were placed on a DVD. The DVD was included in this case book and was referred to as **Exhibit D**. A vehicle pursuit packet was provided by OSS Bureau and was referred to as **Exhibit E.** A Damage to County Property Report (gray unmarked detective unit) was provided by OSS Bureau and was referred to as **Exhibit F.**

<u>INVOLVED PERSONNEL / WORK HISTORY:</u>

CALDERON, OSCAR, Deputy #[redacted]

07-08 to Present Operations Safe Streets Bureau, Homeland Security Division

 [redacted]  [redacted]

Date of Employment: September 21, 1998
Date Assigned to Patrol: [redacted]
Date Completed Patrol Training:
Date Assigned to OSS: July 6, 2008
Prior Shooting Incidents: [redacted]
Prior Founded Force Incidents:

Fired 16 rounds of Department issued 9mm ammunition from a Department issued Beretta Model 92FS, 9mm semiautomatic pistol.

Date Employee last qualified:
Combat Handgun CPT:  [redacted]



O'DONNELL, SHAWN, Sergeant #[redacted]

04-15 to Present County Services Bureau (Sergeant)

  [redacted]

Date of Employment: July 29, 1999
Date Assigned to Patrol:  [redacted]
Date Completed Patrol Training:
Date Assigned to OSS: July 6, 2008
Prior Shooting Incidents:  [redacted]
Prior Founded Force Incidents:

Fired 15 rounds of Department issued 9mm ammunition from a Department issued Beretta Model 92FS, 9mm semiautomatic pistol.

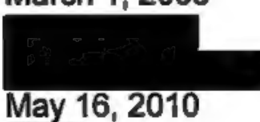
Date Employee last qualified:
Combat Handgun CPT:  [redacted]



SCOTT, MICHAEL, Deputy, #[redacted]

05-10 to Present Temple Station, East Patrol Division

 [redacted]

Date of Employment: March 1, 2006
Date Assigned to Patrol:  [redacted]
Date Completed Patrol Training:
Date Assigned to Temple Station: May 16, 2010
Prior Shooting Incidents: [redacted]
Prior Founded Force Incidents:

Fired 7 rounds of Department issued 9mm ammunition from a Department issued Smith and Wesson M&P, 9mm semiautomatic weapon.

Date Employee last qualified:
Combat Handgun CPT:  [redacted]

HUERTA, CESAR, Deputy, #[redacted]

11-14 to Present   Temple Station, East Patrol Division

[redacted]

Date of Employment: December 2, 1999
Date Assigned to Patrol: [redacted]
Date Completed Patrol Training:
Date Assigned to Temple Station: August 16, 2009
Prior Shooting Incidents: [redacted]
Prior Founded Force Incidents:

Fired 9 rounds of Department issued 9mm ammunition from a Department issued Smith and Wesson M&P, 9mm semiautomatic weapon.

Date Employee last qualified: [redacted]
Combat Handgun CPT:

No deputies were injured.

SUSPECT INFORMATION:

GOTO, Andre, MH/25 DOB: 09-25-89, 5'08", 150 LBS., Booking #3817061
[redacted]

CII #[redacted], MAIN #[redacted], FBI #[redacted].

[redacted]

ACOSTA, Frank, MH/38 DOB: 02-11-77, 6'00", 183 LBS., Booking #3817063
[redacted].

CII #[redacted], MAIN #[redacted] FBI #[redacted].

[redacted]

DEPARTMENT WITNESSES:

Valencia, Joseph L. - Los Angeles County Sheriff's Sergeant #[redacted]

Perez, Arthur (Mark) – Los Angeles County Sheriff's Deputy, #[redacted]

Woodruff, Kasey L. – Los Angeles County Sheriff's Deputy, #[redacted]

Davis, Michael T. – Los Angeles County Sheriff's Deputy, #[redacted]

CIVILIAN WITNESSES:

None.

> **IAB NOTE: Several of the neighboring houses were canvassed for additional witnesses. Several only heard the incident and were not eyewitnesses. Their statements were documented on several supplemental reports. See Exhibit A, page 69.**

PHYSICAL EVIDENCE:

All physical evidence was located, collected and documented by Homicide Bureau Investigators and Scientific Services Bureau personnel; refer to **Exhibit A, page 137**. Additionally a DVD containing crime scene photographs was provided with this case, refer to **Exhibit D**.

INVESTIGATORS OBSERVATIONS:

At the time of the Internal Affairs Bureau Investigators arrival, the crime scene had been preserved. For further details refer to the Crime Scene Sketch (**Exhibit A, pages 149-150**, and pictures in **Exhibit D.**

PROPERTY DAMAGE:

Suspect Goto's Nissan Altima had numerous holes in the body and windows, which appeared to have been caused by gunfire. The left rear quarter panel was also damaged as a result of Suspect Goto ramming his car into the radio car behind him at the terminus of the pursuit.

Gray unmarked detective unit, #SD6498 sustained damage to the hood, which appeared to be caused by gunfire. It also sustained damage to the right front fender, which was caused by the suspect's vehicle reversing into it at the terminus of the pursuit. See Damage to County Vehicle Report, referred to as **Exhibit F** in this case book.

CRIMINAL INVESTIGATOR:

The handling Homicide Detectives were Troy Ewing #[redacted] and Dave Gunner #[redacted].

On October 6, 2014, the Justice System Integrity Division of the Los Angeles County District Attorney's Office concluded that Detectives Calderon and O'Donnell, and Deputies Scott and Huerta acted in lawful self-defense and defense of another. A copy of the letter was included in this case book and was referred to as **Exhibit B**.

LIGHTING AND WEATHER CONDITIONS:

This shooting took place during the hours of darkness. Ambient lighting was provided by two street lights near the intersection of El Toro Road and Van Meter Street, which were operational. The radio cars each utilized their headlights and spot lights, respectively. Both Sheriff's Department vehicles had their emergency lights on and were functional. The weather was clear and cool.

INVOLVED EMPLOYEE STATEMENTS:

All involved personnel were interviewed by Homicide Investigators on the date of the incident. A summary of their interviews can be found in IAB ***Exhibit A****, pages 10-23, of the Homicide Investigation Book. The interviews were audio recorded and can be found on the CD contained in* ***Exhibit C****; refer to the verbatim transcription for precise wording. IAB investigators reviewed the audio recordings of those interviews done by Homicide Bureau. Per Department protocol, none of the deputies authored a report regarding this incident.*

IAB INTERVIEW OF DETECTIVE OSCAR CALDERON #[redacted]:

Detective Oscar Calderon was interviewed by Internal Affairs Bureau Sergeants Dan Peacock and Rich Martinez on June 11, 2015, at 0935 hours. The interview was conducted at the Internal Affairs Bureau, 4900 Eastern Avenue, Commerce. The interview was digitally audio recorded.

On December 29, 2013, Detective Calderon was assigned to Operation Safe Streets Bureau, Pico Rivera Station. He and his partner, Detective O'Donnell, were working overtime in the Temple Station area for crime suppression/saturation patrol. There were several murders which occurred within the prior two weeks of this date between the "Du-Roc Crips", a black criminal street gang, and "East Side Duarte", a Hispanic criminal street gang.

On December 29, 2013, Detectives Calderon and O'Donnell detained a Hispanic male who gave them information regarding a recent murder where a male black was killed by Suspect Goto. Detective Calderon notified homicide detectives of the information they received, and homicide detectives responded to Temple Station to interview the

informant. They received information the murder suspect would be at [redacted], later that evening.

Detectives decided to call the OSS Gang Surveillance Unit (GSU) to surveille the house. All personnel involved attended a tactical briefing and were briefed on the details of the surveillance operation. Detectives Calderon and O'Donnell were given the task of being the "take-down" car, to conduct a felony stop of the suspect vehicle. They were driving a "slick" titanium colored unmarked detective unit, equipped with emergency lights and siren.

The GSU Unit set up on the location in undercover vehicles and plain clothes. Detectives Calderon and O'Donnell parked approximately a block away and communicated with the GSU on a tactical frequency. The suspect vehicle arrived at the location and the occupants went inside the residence. Detective Calderon was in communication with the informant, who was inside of the residence, via his county cell phone. The informant was giving Detective Calderon "play-by-play" of the suspect's action inside of the residence, and also informed him he was armed with a "Tec-9" semi-automatic weapon. Detective Calderon then relayed the information to the GSU deputies.

GSU Deputy Davis advised the suspect vehicle (black Nissan Altima) was leaving the location on Ivory Drive and was approaching Galen Street. Detective O'Donnell began to drive their radio car on Galen Street to conduct a felony stop of the suspect vehicle at the intersection of Ivory Drive and Galen Street.

IAB Note: Based on the information the suspect may be armed, Detective Calderon indicated the plan was to stop the vehicle at the intersection and conduct a felony stop. They did not want the vehicle to drive into the neighborhood and possibly endanger any residents.

Detectives Calderon and O'Donnell arrived at the intersection and observed the suspect vehicle approaching Galen Street. Detective O'Donnell activated the emergency lights on their vehicle and Detective Calderon activated the passenger side spot light, and illuminated the interior of the suspect vehicle. The radio car's headlights also illuminated the interior of the suspect vehicle. Detective O'Donnell stopped their vehicle perpendicular to the suspect vehicle, with the front of their radio car facing the driver side of the suspect vehicle. Detective Calderon had his weapon drawn, outside of the passenger window, pointed at the driver.

Detective Calderon shouted to the suspects in the vehicle to show their hands. Detective Calderon then saw the driver of the suspect vehicle point an "Uzi" type weapon at them through the driver's side window. Detective Calderon said he did not fire his weapon at the time because he was unaware of what the back drop was behind the suspect vehicle. The suspect vehicle then sped off and a vehicle pursuit ensued. The vehicle pursuit traversed through the unincorporated area of Monrovia. The suspect vehicle attempted to execute a left hand turn to northbound El Toro Road from

eastbound Van Meter Street. The vehicle was unable to negotiate the turn and struck the east curb of El Toro Road.

IAB Note: **Detective Calderon broadcast the pursuit on Temple Station Dispatch utilizing the duplex patch. A CD containing the radio traffic of the vehicle pursuit was included in this case book and was referred to as Exhibit G. The radio traffic was also transcribed and was included with Exhibit G.**

The suspect vehicle was now facing in a northeast direction on El Toro Road. Detective O'Donnell stopped their vehicle behind the suspect vehicle, facing an easterly direction. Detective Calderon saw a radio car with its emergency lights on, north of the suspect vehicle, facing south on El Toro Road. While still seated in the passenger seat of his radio car, Detective Calderon saw the driver of the suspect vehicle point his firearm at the deputies in front of him and heard two gun shots. Detectives Calderon exited his vehicle and took cover near the "A pillar" of the passenger door.

Fearing for the other deputies' lives, Detective Calderon simultaneously fired his weapon at the driver of the suspect vehicle and moved to his right, leaving his position of cover. At that moment, the suspect vehicle reversed and collided into the front passenger fender of his gray unmarked detective unit. Detective Calderon felt he needed to move away from the door of the radio car because if he had not, the suspect vehicle may have hit him and pinned him against the car. Detective Calderon then took cover behind his vehicle's trunk and ultimately ended up on the driver's side of his vehicle, near Detective O'Donnell. Detective Calderon emptied his weapon and conducted a tactical reload of his firearm.

Detective Calderon took a position on the driver's side of his radio car, next to Detective O'Donnell and used the engine block as cover. He then covered the suspect with his firearm. Assisting deputies arrived at the location and Sergeant Valencia took a position next to Detective Calderon. Detective Calderon shouted orders to the occupants of the vehicle for them to show their hands and to exit the vehicle. Detective Calderon covered the driver of the vehicle while Sergeant Valencia handcuffed him.

Detective Calderon looked inside of the suspect's vehicle and saw the firearm sitting near the shifter in the center console. The magazine was on the driver's floor board. Detective Calderon said it was the same weapon that was pointed at him right before the pursuit, and the same weapon that was pointed at the patrol deputies at the terminus of the pursuit.

While Detective Calderon was firing his weapon, his target was Suspect Goto's upper body and head, as seen through the driver's side window of the Altima. His backdrop was the brick wall on the other side of the suspect vehicle.

Detective Calderon believed he fired a total of 16 rounds. He never fired his weapon again after he reloaded.

For his complete verbatim interview, see the transcribed interview, in the transcription section of the IAB case book.

IAB INTERVIEW OF DETECTIVE SHAWN O'DONNELL #[redacted]:

Detective Shawn O'Donnell was interviewed by Internal Affairs Bureau Sergeants Dan Peacock and Rich Martinez on June 22, 2015, at 1035 hours. The interview was conducted at the Internal Affairs Bureau, 4900 Eastern Avenue, Commerce. The interview was digitally audio recorded.

On December 29, 2013, Detective O'Donnell was assigned to Operation Safe Streets Bureau, Industry Station. He and his partner, Detective Calderon, [redacted] There were several murders which occurred within the prior two weeks of this date between the "Du-Roc Crips", a black criminal street gang, and "East Side Duarte", a Hispanic criminal street gang.

On December 29, 2013, Detectives O'Donnell and Calderon detained a Hispanic male who gave them information on a recent murder and told them he knew who the shooter was. Detective Calderon notified homicide detectives of the information they received. Homicide detectives responded to Temple Station to interview the informant. They received information the murder suspect would be at [redacted] [redacted], later that evening.

Detective Calderon called the Gang Surveillance Unit (GSU) from Operation Safe Streets Bureau, to conduct surveillance on the house. All personnel involved attended a tactical briefing and were briefed on the details of the surveillance operation. Detectives O'Donnell and Calderon were given the responsibility of being the "take-down" car, to conduct a felony stop of the suspect vehicle. They were driving a gray unmarked detective unit, equipped with emergency lights and siren.

Detective O'Donnell was driving and parked their vehicle approximately one block away from the location. They were in constant communication with the GSU deputies and Detective Calderon was communicating with the informant by telephone. Detective O'Donnell heard from the GSU Team, the suspect vehicle was leaving the residence on Ivory Drive and approaching Galen Street. Detective O'Donnell accelerated his vehicle to put them in a position to make a felony traffic stop. As he approached the intersection of Galen Street and Ivory Drive, he noticed the suspect vehicle was closer to the intersection than he thought it would be. He activated his emergency lights and directed his spot light into the interior of the vehicle. Detective Calderon stopped his car perpendicular to the suspect vehicle, in an "L" configuration, with the front of his vehicle facing the driver's side of the suspect vehicle.

With the interior of the suspect vehicle illuminated, Detective Calderon saw the driver and knew it was the suspect they were looking for, based on photos of Andrew Goto that were distributed from their briefing. Detective O'Donnell saw the driver had a firearm in his hand, while looking through the suspect's vehicle front windshield. Because the incident happened so fast, he could see the driver was startled by the emergency lights from the radio car, and did not know if the suspect pointed the firearm at him and Detective Calderon, or if he was passing the firearm over the steering wheel to hand to the passenger. The suspect vehicle then accelerated and fled from the take down vehicle. Detective O'Donnell immediately initiated a vehicle pursuit of the suspects. The vehicle pursuit traversed through the unincorporated area of Monrovia. The suspect vehicle attempted to execute a left hand turn to northbound El Toro Road from eastbound Van Meter Street. The vehicle was unable to negotiate the turn and struck the east curb of El Toro Road.

Detective O'Donnell saw the suspect vehicle strike the east curb line of El Toro Road and stop. He stopped his radio car behind and to the left of the suspect vehicle, canted to the driver's side. While exiting the driver's side of his radio car, Detective O'Donnell immediately noticed a black and white radio car in front of the suspect's vehicle, facing south. Detective O'Donnell pointed his firearm at the suspect and took cover near the "A" pillar of the open driver's side door. He began to shout orders to the occupants of the suspect vehicle when he saw the driver point a firearm at the deputies who were north of their location.

Fearing for the other deputies' lives, Detective O'Donnell immediately fired his weapon at the driver of the suspect vehicle. Detective O'Donnell believed he fired four to five rounds at the driver and reassessed the situation. He could not tell if the suspect actually fired his weapon.

Suspect Goto put the suspect vehicle in reverse and intentionally rammed the radio car on the passenger side. Detective O'Donnell stated that action happened so fast, he could not get away from the open driver's door. Fearing for his own safety and the safety of his partner, he fired his weapon a second time at Suspect Goto. He believed Detective Calderon was still positioned at the "A" pillar on the passenger side of his vehicle. Once the suspect vehicle collided with his radio car, Suspect Goto was still revving the engine, in an attempt to push the radio car out of the way. Detective O'Donnell believed it was an intentional act by Suspect Goto because if he wanted to escape, he could have merely reversed his vehicle straight back.

Detective O'Donnell heard the suspect stopped revving the vehicle's engine, and he believed the threat had stopped. Detective O'Donnell and Detective Calderon began to give the suspect verbal commands. Assisting deputies arrived on scene and also began to give verbal commands to the suspects.

Detective O'Donnell saw Suspect Goto place his hands out of the driver's side window and opened the driver's door. Detective O'Donnell covered Suspect Goto as he exited the vehicle and lied on the ground. He was also covering the vehicle.

Once Suspect Goto was handcuffed, Detective O'Donnell assisted other deputies in clearing the suspect vehicle. When he looked inside, he noticed a "Mac-11" firearm laying on the center console, near the shifter. Detective O'Donnell stated the firearm located inside of the suspect vehicle appeared to be the same firearm that was pointed at him prior to the pursuit, and the same weapon Suspect Goto pointed at the deputies at the terminus of the pursuit.

While Detective O'Donnell was firing his weapon, his target was Suspect Goto's upper body, through the driver's side window of the Altima. His backdrop was the brick wall on the other side of the suspect vehicle.

Detective O'Donnell believed he fired a total of 15 rounds. He conducted a tactical reload of his firearm after his second volley of shots and never fired his weapon after reloading.

Detective O'Donnell utilized a crime scene picture to indicate his positions during the incident. The pictures he used were included with his interview transcriptions.

For his complete verbatim interview, see the transcribed interview, in the transcription section of the IAB case book.

IAB INTERVIEW OF DEPUTY MICHAEL SCOTT #[redacted]:

Deputy Michael Scott was interviewed by Internal Affairs Bureau Sergeants Dan Peacock and Rich Martinez on June 22, 2015, at 1243 hours. The interview was conducted at the Internal Affairs Bureau, 4900 Eastern Avenue, Commerce. The interview was digitally audio recorded.

On December 29, 2013, Deputy Scott was assigned to patrol at Temple Sheriff's Station and was assigned to the Special Assignment Team. [redacted] There were several murders which occurred within the prior two weeks of that date between the "Du-Roc Crips", a black criminal street gang, and "East Side Duarte", a Hispanic criminal street gang.

Deputy Scott and his partner, Deputy Huerta, [redacted] were contacted by Operations Safe Streets Bureau detectives. OSS Detectives explained they received information on a possible murder suspect, Andrew Goto, and asked if they could help in their operation as uniformed presence. Deputy Scott recalled conducting a parole search at the home of Andrew Goto prior to this date in the city of West Covina, and knew he drove a black Nissan Altima. Andrew Goto was not at the location when the search was conducted.

Deputy Scott attended the tactical briefing with OSS and GSU Detectives, and was given the task of containing the rear of the residence on Ivory Drive. Deputy Scott has had numerous contacts with gang members around the residence. In his experience, suspects usually run from the location, northbound through the back yard and onto Broach Avenue.

Deputy Scott and his partner, Deputy Huerta, took a position on Broach Avenue behind the target location. Their primary responsibility was for containment purposes in case anyone ran from the residence. During the operation, they were in contact with the GSU and OSS Detectives utilizing a tactical frequency.

Deputy Scott heard the suspect was in a vehicle and began to leave the location. Deputy Scott then heard the OSS take down vehicle was in pursuit of the suspect vehicle. Deputy Scott listened to the pursuit broadcast over Temple's frequency via the duplex patch. Deputies Scott and Huerta positioned their vehicle on Mountain Avenue, which was a main North/South thoroughfare in the city of Duarte.

Once on Mountain Avenue, Deputy Scott saw the OSS "slick" car pursuing the suspect vehicle, southbound on Mountain Avenue. When Deputy Scott heard the vehicle pursuit going east on Van Meter Street, he and his partner drove south on El Toro Road. Deputy Scott said their intention was to block the alley way on El Toro Road, north of Van Meter Street, to make sure the suspect vehicle did not get back onto Mountain Avenue.

IAB Note: Deputy Scott indicated in his IAB Interview, based on his experience with East Side Duarte gang members, he had knowledge of a residence on Mountain Avenue, east of El Toro Road, which was a "friendly" house that gang members usually ran to. Access to that house could be gained through the alley off of El Toro Road.

Deputy Scott said he had no way of knowing if the pursuit was going to come north on El Toro Road. He simply wanted to make the safest decision for the deputies involved and for the safety of the citizens. While driving south on El Toro Road, Deputy Scott saw the suspect vehicle attempt to negotiate a left turn and collide with the east curb. Deputy Scott drove his radio car south on El Toro Road and stopped, approximately one and a half car lengths in front of the suspect's vehicle.

Deputy Scott exited his vehicle and took a position of cover near the "A" pillar of the open driver's side door. He drew his firearm and pointed it at Suspect Goto. Deputy Scott then gave verbal commands to Suspect Goto to see his hands. Deputy Scott indicated he knew there was a firearm in the suspect's vehicle, and knew Suspect Goto was possibly armed with it.

Deputy Scott remembered Suspect Goto having a startled look on his face and saw his right hand reach out of his line of sight. Deputy Scott thought Suspect Goto was attempting to put the vehicle in reverse. Deputy Scott then saw Suspect Goto present a firearm and point it at him and his partner. Fearing for their lives, Deputy Scott began shooting his weapon at Suspect Goto. Deputy Scott believed he fired seven rounds.

After firing his weapon, Deputy Scott saw the front windshield of the suspect vehicle break and he could not see the threat anymore. After Deputy Scott stopped shooting, he reassessed, and heard several more gun shots. He did know where the gun shots were coming from and feared he may be shot by Suspect Goto. Deputy Scott left his position near the opened driver's door of his radio car, moved to the rear near the trunk, and ultimately took a position on the passenger side, near Deputy Huerta.

Deputy Scott heard the shooting stop and continued to cover the suspect vehicle, and specifically, Suspect Goto. Deputy Scott heard other deputies give the suspect verbal commands. Deputy Scott saw Suspect Goto exit the driver's side of the vehicle. He heard Suspect Goto yell, "I've been shot" and watched as he crawled to the ground. Suspect Goto was handcuffed by assisting deputies.

When Deputy Scott looked inside the vehicle, he noticed a "Mac-11" firearm. He did not recall where the firearm was located. Deputy Scott stated the firearm located inside of the suspect vehicle appeared to be the same firearm that was pointed at him at the terminus of the pursuit.

While Deputy Scott was firing his weapon, his target was Suspect Goto's upper body, through the front windshield of the Altima. His backdrop was a cinder block wall, south of the suspect vehicle.

Deputy Scott utilized a crime scene picture to indicate his positions during the incident. The pictures he used were included with his interview transcriptions.

For his complete verbatim interview, see the transcribed interview, in the transcription section of the IAB case book.

IAB INTERVIEW OF DEPUTY CESAR HUERTA #[redacted]:

Deputy Cesar Huerta was interviewed by Internal Affairs Bureau Sergeants Dan Peacock and Rich Martinez on June 22, 2015, at 1146 hours. The interview was conducted at the Internal Affairs Bureau, 4900 Eastern Avenue, Commerce. The interview was digitally audio recorded.

On December 29, 2013, Deputy Huerta was assigned to patrol at Temple Sheriff's Station and was on loan to COPS Bureau, Parole Compliance Team, working out of Paramount Sub-Station. [redacted] There were several murders which occurred within the prior two weeks of that date between the "Du-Roc Crips", a black criminal street gang, and "East Side Duarte", a Hispanic criminal street gang.

Deputy Huerta and his partner, Deputy Scott, [redacted]d were contacted by Operations Safe Streets Bureau detectives. OSS detectives explained they received information on a possible murder suspect, Andrew Goto, and asked if they could help in their operation as uniformed presence.

Deputy Huerta attended the tactical briefing with OSS and GSU Detectives, and was given the task of containing the rear of the residence on Ivory Drive. Deputy Huerta has had numerous contacts with gang members around the residence. In his experience, suspects usually ran from the location, northbound through the back yard and onto Broach Avenue.

Deputy Huerta and his partner, Deputy Scott, took a position on Broach Avenue behind the target location. Their primary responsibility was for containment purposes in case anyone ran from the residence. During the operation, they were in contact with the GSU and OSS detectives utilizing a tactical frequency.

Deputy Huerta heard the suspect was in a vehicle and began to leave the location. Deputy Huerta then heard the OSS take down vehicle was in pursuit of the suspect vehicle. Deputy Huerta listened to the pursuit broadcast over Temple's frequency via the duplex patch. Deputy Scott positioned their vehicle on Mountain Avenue, which was a main North/South thoroughfare in the city of Duarte.

Once on Mountain Avenue, Deputy Huerta saw the OSS "slick" car pursuing the suspect vehicle, south on Mountain Avenue. When Deputy Huerta heard the vehicle pursuit headed east on Van Meter Street, he and his partner drove south on El Toro Road.

While driving south on El Toro Road, Deputy Huerta saw the headlights of the suspect vehicle turning north on El Toro Road.

IAB Note: **Deputy Huerta indicated in his IAB interview, he thought the intention of him and his partner driving south on El Toro Road was to get to the intersection of El Toro and Van Meter Street before the suspect vehicle did. He intended to block off north bound El Toro so the suspect vehicle would continue to go east on Van Meter, and arrive at the dead end.**

Deputy Huerta saw the suspect vehicle attempt to negotiate a left turn onto El Toro Road and crash into the east curb. The suspect vehicle stopped against the east curb as Deputy Huerta and his partner stopped their radio car in front of the suspect vehicle, approximately one and a half car lengths away.

Deputy Huerta exited the passenger side of the radio car and took a position of cover by the "A" pillar. He positioned his spot light at the driver of the suspect vehicle and illuminated the interior of the car. Deputy Huerta drew his weapon and pointed it at the driver (Suspect Goto).

Looking through the front windshield of the suspect vehicle, Deputy Huerta saw Suspect Goto point a firearm at him and his partner. Fearing he was about to get shot, and fearing for his and his partner's lives, Deputy Huerta fired his weapon at Suspect Goto approximately four to five times. Deputy Huerta saw his rounds strike the front windshield of the suspect vehicle, but did not know if they struck the suspect. Deputy Huerta stopped firing and reassessed.

Deputy Huerta saw the suspect duck behind the dash of the vehicle momentarily and the suspect then drove the car in reverse. The suspect vehicle struck the OSS radio car that was directly behind it. Fearing the suspect may shoot at the OSS detectives or hurt them with this vehicle, Deputy Huerta fired another four to five rounds from his weapon. Deputy Huerta again reassessed a second time. He then saw the passenger of the suspect vehicle place his hands in the air.

Deputy Huerta began to give Suspect Goto verbal commands to show his hands. After the shooting stopped, Deputy Huerta was tapped on the shoulder by another assisting deputy who had arrived on scene. He did not recall who the deputy was.

Deputy Huerta assisted in clearing the suspect vehicle immediately after the shooting. When Deputy Huerta looked inside the vehicle, he noticed a "Mac-10" sitting on the center console of the suspect vehicle. He recalled the magazine was not in the weapon and did not know where the magazine was. Deputy Huerta stated the firearm located inside of the suspect vehicle appeared to be the same firearm that was pointed at him at the terminus of the pursuit.

Deputy Huerta utilized a crime scene picture to indicate his positions during the incident. The pictures he used were included with his interview transcriptions.

For his complete verbatim interview, see the transcribed interview, in the transcription section of the IAB case book.

WITNESS EMPLOYEE STATEMENTS:

All witness personnel were interviewed by Homicide Investigators on the date of the incident. A summary of their interviews can be found in IAB ***Exhibit A, pages 28-36****, of the Homicide Investigation Book. The interviews were audio recorded and can be found on the CD contained in* ***Exhibit C****; refer to the verbatim transcription for precise wording. IAB investigators reviewed the audio recordings of those interviews and found that Homicide's summary of each interview included an account of what was said.*

IAB INTERVIEW OF DETECTIVE KASEY WOODRUFF #[redacted]:

Detective Kasey Woodruff was interviewed by Internal Affairs Bureau Sergeants Dan Peacock and Rich Martinez on May 18, 2015, at 1107 hours. The interview was conducted at the Operation Safe Streets Bureau Headquarters, located at 4331 Lennox Avenue, Los Angeles. The interview was digitally audio recorded.

On December 29, 2013, Detective Woodruff was assigned to Operation Safe Streets Bureau (OSS) and worked the Gang Surveillance Unit (GSU). He was at his residence when he received a call from his supervisor, Witness Valencia. Witness Valencia advised him the team was being called out to Temple Sheriff's Station to conduct surveillance on a possible murder suspect wanted in connection to a recent murder in the city of Duarte.

Detective Woodruff responded to Temple Station and contacted Homicide Detective Cooper, who was handling the prior homicide. Detective Woodruff also contacted OSS Detectives Calderon and O'Donnell. Detective Calderon explained to Witness Woodruff the details of their detention of the confidential informant and the information they received from him. Witness Woodruff immediately conducted a "work up" of Suspect Goto and prepared a tactical briefing for the operation that night.

IAB Note: **A "work up" is a term meaning the gathering of information of a certain individual using Department Resources. The information includes basic personal history, criminal history, gang affiliation, vehicle information, etc.**

Witness Woodruff gave the "work up" information to all of the deputies in the tactical briefing and assigned specific tasks. Witness Woodruff assigned Detectives Calderon and O'Donnell as the take down unit and Deputies Scott and Huerta as a uniformed presence and rear containment. An Aero unit was requested for the operation, but was unavailable due to weather conditions.

IAB Note: **Detective Woodruff explained due to the time of year, most of his team was off, using excess vacation time. He assigned Detectives Calderon and O'Donnell as the take-down unit because they worked closely together and were familiar with each other's tactics. He explained they would normally have a black and white radio car as the take down vehicle, but due to staffing shortages, they were forced to change their tactics and use an unmarked vehicle.**

All personnel involved set-up near the target location on Ivory Drive. Detective Woodruff was wearing plain clothes and driving an undercover vehicle. He parked his vehicle on Galen Street, approximately 60 feet from the intersection. Detective Davis was parked on Ivory Drive and was watching the location via the rear and side view mirrors of his vehicle. All involved personnel were communicating with each other via a tactical frequency. The GSU Team plan was to stop the vehicle at the intersection of Galen Street and Ivory Drive, using all of the undercover units to overwhelm and surprise the suspect, and gain his cooperation and avoid a vehicle or foot pursuit.

Detective Davis informed all of the personnel that the target vehicle was leaving the residence. Detectives Calderon and O'Donnell maneuvered their vehicle to conduct the felony stop at the intersection. The takedown vehicle approached the intersection and attempted to block the suspect vehicle. The suspect vehicle drove through a small gap between the take down vehicle and the curb. The suspect vehicle accelerated and fled the location.

Detectives Calderon and O'Donnell went in pursuit of the suspect vehicle through the streets of Duarte and Monrovia County. Detective Woodruff and his partner were listening to the pursuit being broadcast on Temple's dispatch channel and were trailing the pursuit. They did not become involved. While listening to the location of the pursuit, Detective Woodruff turned east onto Van Meter Street and observed the suspect vehicle appeared to have collided into a wall at Van Meter and El Toro Road. Detective Woodruff continued to drive his undercover vehicle to the terminus of the pursuit. Approximately one block from El Toro Road, he saw the suspect vehicle drive in reverse and collide with the gray unmarked detective unit and then heard several gun shots.

Detective Woodruff believed the suspect was shooting at the OSS detectives and observed glass flying from the rear windshield of the suspect vehicle. Detective Woodruff stopped his vehicle approximately 150 feet behind the radio car. He observed the passenger of the OSS vehicle take cover behind the trunk of the vehicle. Detective Woodruff told his partner, Detective Perez, the suspects were shooting at the OSS detectives.

Detective Woodruff and his partner exited their vehicle and ran toward the OSS vehicle. Upon reaching the OSS vehicle, Sergeant Valencia met them and he observed the black and white radio car north on El Toro Road. Detective Woodruff took a position of cover near the trunk of the gray unmarked detective unit and Detective Perez took cover near the driver's side. Detective Woodruff stated once they reached their positions, the shooting had stopped.

All personnel began to give verbal commands for the suspects to show their hands while still seated in the vehicle. Detective Woodruff indicated he could not see into the suspect vehicle because all of the windows were shattered from the gunfire. Detective Woodruff and assisting deputies had the driver (Suspect Goto) exit the driver's door and lay on the ground. Detective Woodruff noticed Suspect Goto was injured and requested paramedics to come in and administer aid to both suspects.

Detective Woodruff and Detective Perez cleared the vehicle and noticed the vehicle's gear shifter was still in reverse with the engine running. Detective Woodruff turned off the vehicle's ignition. While inside of the suspect's vehicle, Detective Woodruff noticed a large "Tec-9" firearm laying on the center console.

Detective Woodruff stated he did not fire his weapon when he arrived at the location because he did not see a threat, and he did not see any of the deputies fire their weapons.

Detective Woodruff utilized a crime scene picture to indicate his position during the incident. The pictures he used were included with his interview transcriptions.

For his complete verbatim interview, see the transcribed interview, in the transcription section of the IAB case book.

IAB INTERVIEW OF DETECTIVE MARK PEREZ #[redacted]:

Detective Mark Perez was interviewed by Internal Affairs Bureau Sergeant Dan Peacock on May 20, 2015, at 1254 hours. The interview was conducted at Lakewood Sheriff's Station, located at 5130 Clark Avenue, Lakewood. The interview was digitally audio recorded.

On December 29, 2013, Detective Perez was assigned to Operation Safe Streets Bureau (OSS), out of Lakewood Sheriff's Station. He was at work when he received a call from his former partner, Detective Woodruff. Detective Woodruff advised him the GSU Team was being called out to Temple Sheriff's Station to conduct surveillance of a possible murder suspect wanted in connection for a recent murder in the city of Duarte, and asked if he could assist.

Detective Perez responded to Temple Sheriff's Station and attended a tactical briefing for the operation, put on by Detective Woodruff. Detective Perez was in the undercover vehicle as the passenger with Detective Woodruff.

Detective Woodruff positioned their vehicle on Galen Street, west of Ivory Drive. Detective Perez indicated they could not see the target location from their position and relied on radio communication from Detective Davis, who was the "eye" on the target residence. Detective Perez stated a helicopter was requested from Sheriff's Aero Bureau was requested for the operation but was unavailable, due to weather conditions.

Detective Perez stated the wanted person (Suspect Goto) was going to be driving a black Nissan Altima and would be arriving at the target residence shortly after they arrived. The suspect vehicle arrived and they were continuously getting updates from Detective Calderon, who was in communication with the Informant, who was inside of the target residence.

Detective Perez heard on the radio from Detective Davis, the suspect vehicle was leaving the residence and the take-down vehicle was moving into position to conduct a felony traffic stop. Detective Perez then heard on the radio the suspect driving the vehicle was their target suspect.

Detective Perez said from where their vehicle was parked, they could not see the intersection of Ivory Drive and Galen Street, and did not see Detectives Calderon and O'Donnell attempt to make a traffic stop on the suspect vehicle. Detective Perez then heard over the dispatch channel, that OSS detectives were in pursuit of the suspect vehicle. Detective Perez stated the pursuit passed their position. Detective Woodruff began to trail the pursuit and hoped to be in a position to assist when it terminated.

Detective Perez stated he and his partner were driving east on Van Meter Street and saw the suspect vehicle fail to negotiate a left turn and crash into the east curb of El Toro Road. Detective Perez stated, Detective Woodruff stopped their vehicle on the south side of Van Meter Street, approximately 200 feet behind the gray unmarked detective unit.

Detective Perez ran to the rear of the gray unmarked detective unit and saw the reverse lights come on from the suspect vehicle. The suspect then revved the engine of the vehicle and collided with the gray unmarked unit behind it. Detective Perez saw the collision and heard the impact of the two vehicles. He then immediately heard gunshots and saw muzzle flash. He could not tell where the gun fire was coming from. Detective Perez thought the suspects were firing at the deputies.

Detective Perez drew his weapon and covered the suspect vehicle. The gunfire ceased within seconds of his arrival. He immediately checked with Detectives Calderon and O'Donnell to make sure they were okay and were not injured by gunfire. Detective Perez acknowledged there was an immediate threat from the suspect vehicle, but he did not fire his weapon. Deputies immediately began giving verbal commands to the suspects inside of the Altima. Detective Perez approached the suspect vehicle with Detectives Calderon and Davis.

As they approached the rear window of the passenger side, Detective Perez smashed out the rear passenger door window to get a clear view inside of the vehicle's rear passenger area, and to make sure there were no additional suspects inside. He covered the passenger of the vehicle with his firearm, while Detectives Calderon and Davis handcuffed him. Paramedics arrived shortly thereafter and treated the suspects for their injuries.

Detective Perez stated he did not know there was a radio car parked to the north when he arrived at the trunk of the gray unmarked detective unit. He did not know the deputies who were in that radio car were involved in the shooting until after the incident.

For his complete verbatim interview, see the transcribed interview, in the transcription section of the IAB case book.

IAB INTERVIEW OF DETECTIVE MICHAEL DAVIS #[redacted]:

Detective Michael Davis was interviewed by Internal Affairs Bureau Sergeants Dan Peacock and Rich Martinez on May 18, 2015, at 1154 hours. The interview was conducted at the Operation Safe Streets Bureau Headquarters, located at 4331 Lennox Avenue, Los Angeles. The interview was digitally audio recorded.

On December 29, 2013, Detective Davis was assigned to Operation Safe Streets Bureau (OSS) and worked the Gang Surveillance Unit (GSU). He was at his residence when he received a call from his partner, Detective Woodruff. Detective Woodruff advised him the team was being called out to Temple Sheriff's Station to conduct surveillance a possible murder suspect wanted for a recent murder in the city of Duarte.

Detective Davis responded to Temple Sheriff's Station and attended a tactical briefing, put on by Detective Woodruff. Detective Davis was assigned to be the eye on the target location. All involved personnel drove to the location and set-up on the surrounding streets. Detective Davis parked on Ivory Drive and could see the location via his vehicle's side and rear view mirrors. Detective Davis had personal knowledge of Suspect Goto and had arrested him before. He knew he usually carried firearms and would usually run from police when he was contacted.

Detective Davis saw the target vehicle arrive at the location. A short time later, Suspect Goto entered the driver's side of the vehicle, while another male (Frank Acosta) entered the passenger side. The suspect vehicle then left the residence and drove south on Ivory Drive. Detective Davis notified all of the involved personnel, via his radio, the target vehicle was leaving the location. The suspect vehicle passes his location and briefly stopped at the intersection of Ivory Drive and Galen Street.

Detective Davis saw Detectives Calderon and O'Donnell approach the intersection with their emergency lights activated, in an attempt to stop the suspect vehicle. The suspect vehicle was able to "squeeze" by the take-down vehicle and sped away west on Galen Street, failing to stop for the take-down vehicle. Detective Davis saw Detectives Calderon and O'Donnell pursue the suspect's vehicle.

Detective Davis drove his vehicle to Galen Street and saw the pursuit continue towards Mountain Avenue. Listening to updates on the radio, Detective Davis heard the pursuit had continued east Van Meter Street. Detective Davis drove west on Camino Real and came to El Toro Road. Looking south on El Toro Road, he saw the flashers from a radio car, and drove south on El Toro Road. While driving on El Toro Road, Detective Davis heard gun shots ahead of him. Detective Davis parked approximately 30 feet behind the black and white radio car that Deputies Huerta and Scott were in. Detective Davis saw Deputies Huerta and Scott actively shooting their weapons at the suspect vehicle.

Detective Davis exited his undercover vehicle and drew his weapon. He ran to the trunk of the radio car and took a position of cover. He contacted Deputies Scott and Huerta to make sure they were not injured. Detective Davis began giving verbal commands to the driver of the suspect vehicle, ordering him to show his hands. Detective Davis approached the suspect vehicle with several other deputies, after the occupants exited and lied on the ground. Detective Davis assisted in the detention of Suspect Goto, and took him back to where his vehicle was parked for medical treatment.

Detective Davis stated he did not shoot his weapon when he reached the radio car, because he did not see an immediate threat and the other gunfire had stopped.

Detective Davis utilized a crime scene picture to indicate his position during the incident. The pictures he used were included with his interview transcriptions.

For his complete verbatim interview, see the transcribed interview, in the transcription section of the IAB case book.

IAB INTERVIEW OF SERGEANT JOSEPH VALENCIA #[redacted]:

Sergeant Joseph Valencia was interviewed by Internal Affairs Bureau Sergeants Dan Peacock and Rich Martinez on May 18, 2015, at 1231 hours. The interview was conducted at the Operation Safe Streets Bureau Headquarters, located at 4331 Lennox Avenue, Los Angeles. The interview was digitally audio recorded.

On December 29, 2013, Sergeant Valencia was assigned to Operation Safe Streets Bureau (OSS) and was the supervisor for the Gang Surveillance Unit (GSU). He was at his residence when he received a call from Detective Woodruff. Detective Woodruff advised him the team was being called out to Temple Sheriff's Station to conduct surveillance for a possible murder suspect wanted for a recent murder in the city of Duarte.

Sergeant Valencia responded to Temple Sheriff's Station and attended a tactical briefing, put on by Detective Woodruff. Sergeant Valencia stated he did not have a full team for the operation due to the time of year. He said most of his team was off using excess vacation time. Sergeant Valencia was working an undercover capacity and drove an undercover vehicle. The operation called for Detectives Calderon and O'Donnell to be the take-down vehicle, if the suspect arrived during the operation.

Sergeant Valencia said Detective Davis was parked on Ivory Street where the target location was and would be the "eye" for the operation. Several undercover GSU units and the gray unmarked detective unit were parked out of sight of the target location, but were close enough to respond for the traffic stop of the suspect vehicle. GSU, OSS, and Temple Station Deputies were all communicating with each other via a tactical channel.

Sergeant Valencia said Detective Davis advised all involved personnel, the target suspect and vehicle had arrived at the location. The suspect vehicle left the target location a short time later and approached the opening of the cul-de-sac on Ivory Drive. Detectives Calderon and O'Donnell approached the intersection and attempted to make a traffic stop of the suspect's vehicle. The suspect's vehicle was able to "squeeze" by the take-down vehicle and sped west on Galen Street, failing to stop for the take down vehicle. Sergeant Valencia saw Detectives Calderon and O'Donnell immediately began to pursue the suspect vehicle. Sergeant Valencia heard the beginning of the pursuit being broadcast over their tactical frequency. He then switched his radio over to the SCC access channel where he heard the pursuit broadcast over the duplex patch on Temple Station's frequency. Sergeant Valencia indicated all of the necessary information was being broadcast to SCC by Detective Calderon, which allowed the pursuit to continue and not be cancelled.

Sergeant Valencia heard the pursuit had continued east on Van Meter Street and terminated at the intersection of El Toro Road. Sergeant Valencia drove east on Van Meter Street and saw the suspect vehicle stopped against the east curb of El Toro Road. He was able to see the lights and hear the siren of the gray take-down vehicle, which Detectives Calderon and O'Donnell were in. Sergeant Valencia saw Detectives Calderon and O'Donnell exit their vehicle. As he was nearing the terminus of the

pursuit, Sergeant Valencia saw the suspect vehicle drive in reverse, in an assaultive manner, hitting the radio car behind it. He then heard gunshots, and believed he saw bullets exit the suspect vehicle, toward the deputies.

Sergeant Valencia stopped his vehicle approximately 30 yards behind the gray unmarked detective unit and saw Detectives Calderon and O'Donnell shooting their weapons into the suspect vehicle. Sergeant Valencia ran to the trunk on the passenger side of the gray unmarked detective unit as the gun fire stopped. Sergeant Valencia took a position of cover and met with Detective O'Donnell. Sergeant Valencia immediately recognized a black and white radio car stopped to the north of the suspect vehicle, facing south. He noticed there were several deputy personnel standing near that car. Sergeant Valencia indicated he did not know if those deputies were involved in the shooting.

Sergeant Valencia told deputies to give verbal commands to the suspects to exit their vehicle. Sergeant Valencia saw the driver (Andrew Goto) begin to exit the vehicle on the driver's side. Simultaneously, the passenger opened his door and exited the vehicle. Sergeant Valencia then ordered the driver to stop and focused his attention on the passenger (Frank Acosta). Deputies ordered the passenger to walk back toward them and the passenger yelled he could not walk because he was shot. Deputies held the passenger at gunpoint and Sergeant Valencia assisted in the detention of the driver.

Sergeant Valencia immediately made sure all of the deputies involved were okay and not injured. He then immediately made sure the two suspects received medical treatment for their injuries. Lastly, he knocked on the door of the residence downrange from the suspect's vehicle and made sure nobody inside of the house had been injured or struck by gunfire. He also had deputies look for bullet strikes on the houses near the shooting scene.

For his complete verbatim interview, see the transcribed interview, in the transcription section of the IAB case book.

SUSPECTS STATEMENTS:

Both suspects were interviewed by Homicide Investigators on the date of the incident. A summary of their interviews can be found in IAB ***Exhibit A, pages 23-25****, of the Homicide Investigation Book. The interviews were audio recorded and can be found on the CD contained in* ***Exhibit C****; refer to the verbatim transcription for precise wording. IAB investigators reviewed the audio recordings of those interviews and found that Homicide's summary of each interview contained an account of what was said.*

HOMICIDE INTERVIEW OF SUSPECT ANDREW GOTO:

Suspect Andrew Goto was in the custody of the Los Angeles County Sheriff's Department, North County correctional Facility. He was awaiting trial for the murder of Mr. [redacted] The District Attorney's Office intended to include the Assault on a Peace Officer during his murder trial. Suspect Goto hired a private attorney to defend him during his trial. His attorney declined permission for IAB Investigators to interview him regarding the case.

Suspect Goto was interviewed by Homicide Detectives Ewing and Gunner on December 29, 2013 at 1009 hours. This interview was conducted at Temple Sheriff's Station. The interview was digitally audio recorded. Below is a summary of their interview:

Suspect Goto admitted to homicide detectives he possessed the firearm and explained he carried the gun for protection, because of recent shootings in the neighborhood. He said he bought the gun at a yard sale, but would not elaborate any further. Suspect Goto denied pointing the gun at any deputy sheriffs. He also denied ramming the titanium radio car. He did admit he was attempting to evade the pursuing deputies.

Suspect Goto admitted to being a member of the Eastside Duarte criminal street gang and told homicide detectives he was currently on parole for a previous assault. Suspect Goto stated Suspect Acosta was a friend and he was giving him a ride home. Suspect Goto did not have any additional information and the interview was terminated.

HOMICIDE INTERVIEW OF SUSPECT FRANK ACOSTA:

Suspect Frank Acosta was not in the custody of the Los Angeles County Sheriff's Department. IAB Investigators made numerous attempts to contact Suspect Acosta to request an interview. On May 12 and May 28, 2015, Sergeant Dan Peacock called the home of Suspect Acosta and left messages on the answering machine requesting to have Suspect Acosta set up an interview with him. He never received a call back. On June 11, 2015, Sergeants Dan Peacock and Mark Lopez drove to [redacted], [redacted], Suspect Acosta's residence. There was no answer at the door. A business card was left requesting a call to set up an interview. He did not receive a call back.

On June 24, 2015, Sergeant Dan Peacock sent a certified letter to the residence requesting a call to set up an interview. The letter was signed for by Suspect Acosta. However, no return call was received (see copy of certified letter receipt and proof of service included in this case book and referred to as **Exhibit H**).

Suspect Acosta was interviewed by Homicide Detectives Ewing and Gunner on December 29, 2013 at 1300 hours. The interview was conducted at Huntington Memorial Hospital. The interview was digitally audio recorded. Below is a summary of their interview:

Suspect Acosta was visiting the Informant at his house on [redacted], when Suspect Goto arrived and offered him a ride home. Acosta said they left the informants house when the police attempted to stop them. Suspect Goto then sped off. Acosta said he told Goto several times to stop and let him out of the car. Homicide Detectives asked Suspect Acosta if he saw Suspect Goto point a firearm at the deputies when they first attempted to pull them over. Suspect Acosta said he did not see Suspect Goto with a gun, but it would have been possible he did not see it because he was not looking at Suspect Goto.

Suspect Acosta said at the end of the pursuit, he immediately put his hands out of the passenger window. Suspect Acosta said he then heard gun shots. Acosta said he never saw Suspect Goto with a gun and only became aware of the gun after detectives told him about it.

Detectives asked Acosta if he was looking at Suspect Acosta at the end of the pursuit. Suspect Acosta said he was getting ready to exit the vehicle and never looked toward Suspect Goto.